

UNITED STATES DISTRICT COURT  
FOR THE WESTERN DISTRICT OF VIRGINIA  
ROANOKE DIVISION

|                          |   |                            |
|--------------------------|---|----------------------------|
| UNITED STATES OF AMERICA | ) |                            |
|                          | ) |                            |
| v.                       | ) | Criminal No. 7:97-CR-00054 |
|                          | ) |                            |
| JOSE PIEDRAHITA          | ) |                            |

**UNITED STATES' MOTION TO DISMISS INDICTMENT**

The United States of America, by counsel and pursuant to Rule 48 of the Federal Rules of Criminal Procedure, hereby moves this Court for leave to dismiss the indictment in the above-referenced matter. In support of its motion, the government respectfully states as follows:

1. The Grand Jury returned a one-count indictment against the defendant on May 20, 1997, alleging violations of 18 U.S.C. § 1956(h).
2. Given the amount of time that has passed by, it is unlikely that the United States could move forward with a successful prosecution at this time.

WHEREFORE, the United States respectfully requests that the Court grant its motion to dismiss the indictment in this matter without prejudice.

DATED: February 9, 2023

Respectfully submitted,

CHRISTOPHER R. KAVANAUGH  
United States Attorney

/s/ Rachel B. Swartz  
Rachel B. Swartz  
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**CERTIFICATE OF SERVICE**

I hereby certify on this 9<sup>th</sup> day of February, 2023, that I caused to be filed the foregoing Motion to Dismiss Indictment with the Clerk of the Court, using the CM/ECF System, and served a copy of the same upon counsel for the defendant via electronic mail

/s/ Rachel B. Swartz  
Rachel B. Swartz  
Assistant United States Attorney